

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1630

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow for a more effective recovery from disasters, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2011

Ms. LANDRIEU (for herself and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow for a more effective recovery from disasters, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Disaster Recovery Act  
5 of 2011”.

6       **SEC. 2. TABLE OF CONTENTS.**

7       The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—MAJOR DISASTER AND EMERGENCY ASSISTANCE  
ADMINISTRATION

- Sec. 101. Definition of major disaster.
- Sec. 102. Other definitions.
- Sec. 103. Waiver of administrative conditions.
- Sec. 104. Use and coordination of relief organizations.
- Sec. 105. Self-insurance.
- Sec. 106. Authorities and responsibilities.
- Sec. 107. Recovery efforts.
- Sec. 108. Coordination of response and recovery.
- Sec. 109. Declaration of a catastrophic disaster.
- Sec. 110. Improving distribution of Federal disaster assistance.
- Sec. 111. Pre-incident planning.

TITLE II—MAJOR DISASTER ASSISTANCE PROGRAMS

- Sec. 201. Essential assistance.
- Sec. 202. Volunteers.
- Sec. 203. Hazard mitigation.
- Sec. 204. Repair, restoration, and replacement of damaged facilities.
- Sec. 205. Debris removal.
- Sec. 206. Federal assistance to individuals and households.
- Sec. 207. Crisis counseling and assistance training program.
- Sec. 208. Community disaster loans.
- Sec. 209. Emergency public transportation.
- Sec. 210. Simplified procedures.
- Sec. 211. Appeals of assistance decisions.
- Sec. 212. Case management services.
- Sec. 213. Essential service providers.
- Sec. 214. Additional disaster assistance, procedures, and reporting.
- Sec. 215. After action reviews.
- Sec. 216. Grant guidance.
- Sec. 217. Timeliness of reviews.
- Sec. 218. Review of regulations and policies.
- Sec. 219. Public works repair teams.
- Sec. 220. Review of Federal programs and authorities.

TITLE III—OTHER PROVISIONS

- Sec. 301. Contributions for personnel and administrative expenses.
- Sec. 302. Evacuation plans and exercises.
- Sec. 303. Personnel management.
- Sec. 304. Authorization of appropriations.

**1 SEC. 3. DEFINITIONS.**

2       In this Act—

- 3               (1) the term “Administrator” means the Ad-
- 4               ministrator of the Federal Emergency Management
- 5               Agency;

1           (2) the term “catastrophic disaster” means a  
2 catastrophic disaster declared by the President  
3 under section 327 of the Robert T. Stafford Disaster  
4 Relief and Emergency Assistance Act, as added by  
5 this Act;

6           (3) the term “catastrophic incident” has the  
7 meaning given that term in section 501 of the  
8 Homeland Security Act of 2002 (6 U.S.C. 311); and

9           (4) the term “major disaster” means a major  
10 disaster declared by the President under section 401  
11 of the Robert T. Stafford Disaster Relief and Emer-  
12 gency Assistance Act (42 U.S.C. 5170).

13 **TITLE I—MAJOR DISASTER AND**  
14 **EMERGENCY ASSISTANCE AD-**  
15 **MINISTRATION**

16 **SEC. 101. DEFINITION OF MAJOR DISASTER.**

17           Section 102 of the Robert T. Stafford Disaster Relief  
18 and Emergency Assistance Act (42 U.S.C. 5122) is  
19 amended by striking paragraph (2) and inserting the fol-  
20 lowing:

21           “(2) MAJOR DISASTER.—The term ‘major dis-  
22 aster’ means any natural disaster (including a pan-  
23 demic), act of terrorism, or other man-made dis-  
24 aster, in any part of the United States, which in the  
25 determination of the President causes damage of

1 sufficient severity and magnitude to warrant major  
2 disaster assistance under this Act to supplement the  
3 efforts and available resources of States, local gov-  
4 ernments, and disaster relief organizations in alle-  
5 viating the damage, loss, hardship, or suffering  
6 caused thereby.”.

7 **SEC. 102. OTHER DEFINITIONS.**

8 (a) STAFFORD ACT.—Section 102 of the Robert T.  
9 Stafford Disaster Relief and Emergency Assistance Act  
10 (42 U.S.C. 5122) is amended—

11 (1) in paragraph (10)(A), by inserting “child  
12 care,” after “educational,”; and

13 (2) by adding at the end the following:

14 “(11) RECOVERY.—The term ‘recovery’ has the  
15 meaning given that term in section 501 of the  
16 Homeland Security Act of 2002 (6 U.S.C. 311).

17 “(12) NATIONAL DISASTER RECOVERY FRAME-  
18 WORK.—The term ‘National Disaster Recovery  
19 Framework’ means the National Disaster Recovery  
20 Framework developed under section 655 of the Post-  
21 Katrina Emergency Management Reform Act of  
22 2006.

23 “(13) CATASTROPHIC INCIDENT.—The term  
24 ‘catastrophic incident’ has the meaning given that

1 term in section 501 of the Homeland Security Act  
2 of 2002 (6 U.S.C. 311).

3 “(14) CATASTROPHIC DISASTER.—The term  
4 ‘catastrophic disaster’ means a catastrophic disaster  
5 declared by the President under section 327.”.

6 (b) HOMELAND SECURITY ACT OF 2002.—Section  
7 501 of the Homeland Security Act of 2002 (6 U.S.C. 311)  
8 is amended—

9 (1) by redesignating paragraphs (9) through  
10 (14) as paragraphs (11) through (16), respectively;

11 (2) by redesignating paragraphs (7) and (8) as  
12 paragraphs (8) and (9), respectively;

13 (3) by inserting after paragraph (6) the fol-  
14 lowing:

15 “(7) the term ‘National Disaster Recovery  
16 Framework’ has the meaning given that term in sec-  
17 tion 102 of the Robert T. Stafford Disaster Relief  
18 and Emergency Assistance Act (42 U.S.C. 5122);”;

19 (4) in paragraph (9), as so redesignated, by  
20 striking “section 502(a)(6)” and inserting “section  
21 504(a)(6)”;

22 (5) by inserting after paragraph (9), as so re-  
23 designated, the following:

24 “(10) the term ‘recovery’ means the short and  
25 long term process of restoring, reshaping, and en-

1 hancing the resiliency of the physical, social, cul-  
2 tural, economic, and natural environments and serv-  
3 ices, government institutions, and the well-being of  
4 affected individuals;”.

5 **SEC. 103. WAIVER OF ADMINISTRATIVE CONDITIONS.**

6 Section 301 of the Robert T. Stafford Disaster Relief  
7 and Emergency Assistance Act (42 U.S.C. 5141) is  
8 amended—

9 (1) by inserting “(a) IN GENERAL.—” before  
10 “Any Federal agency”; and

11 (2) by adding at the end the following:

12 “(b) TECHNICAL ASSISTANCE.—The President shall  
13 provide technical assistance to State and local authorities  
14 to identify administrative conditions that may prevent the  
15 giving of assistance under a program described in sub-  
16 section (a).”.

17 **SEC. 104. USE AND COORDINATION OF RELIEF ORGANIZA-**  
18 **TIONS.**

19 Section 309(b) of the Robert T. Stafford Disaster Re-  
20 lief and Emergency Assistance Act (42 U.S.C. 5152(b))  
21 is amended—

22 (1) by striking “disaster relief” and insert “pre-  
23 paredness, disaster relief, and recovery”;

1           (2) by striking “coordinated by the Federal co-  
2           ordinating officer” and inserting “used or coordi-  
3           nated by the President before or”; and

4           (3) by striking “providing relief” and inserting  
5           “performing preparedness, disaster relief, or recov-  
6           ery activities”.

7   **SEC. 105. SELF-INSURANCE.**

8           Section 311(c) of the Robert T. Stafford Disaster Re-  
9           lief and Emergency Assistance Act (42 U.S.C. 5154(c))  
10          is amended—

11           (1) in the subsection heading, by inserting “OR  
12          LOCAL GOVERNMENT” after “STATE”; and

13           (2) by inserting “or local government” after  
14          “State” each place it appears.

15   **SEC. 106. AUTHORITIES AND RESPONSIBILITIES.**

16          Section 504(a) of the Homeland Security Act of 2002  
17          (6 U.S.C. 314(a)) is amended—

18           (1) in paragraph (3)(B), by striking “Support  
19          Team” and all that follows through “when oper-  
20          ating” and inserting “Support Team and (when oper-  
21          ating”); and

22           (2) in paragraph (4), by inserting “efficient, ex-  
23          peditious, and effective” after “aiding the”.

1 **SEC. 107. RECOVERY EFFORTS.**

2 Section 402 of the Robert T. Stafford Disaster Relief  
3 and Emergency Assistance Act (42 U.S.C. 5170a) is  
4 amended—

5 (1) in paragraph (3)—

6 (A) in subparagraph (D), by inserting  
7 “and” after “measures;”;

8 (B) in subparagraph (E), by striking  
9 “and” at the end; and

10 (C) by striking subparagraph (F);

11 (2) in paragraph (4), by striking “and” at the  
12 end;

13 (3) in paragraph (5)(B), by striking the period  
14 at the end and inserting “; and”; and

15 (4) by adding at the end the following:

16 “(6) assist State and local governments to re-  
17 cover from a major disaster and coordinate Federal  
18 assistance for recovery from the major disaster by—

19 “(A) identifying and coordinating Federal  
20 resources, programs, and agencies to support  
21 the implementation of recovery and mitigation  
22 efforts of State and local governments;

23 “(B) providing technical and other advice  
24 to State and local governments to manage, con-  
25 trol, and mitigate hazards and risk in a manner  
26 that reduces injuries, loss of life, damage to the

1 environment, and damage and destruction of  
2 property, including damage to facilities;

3 “(C) in the case of a catastrophic disaster,  
4 establishing a Commission under section 327;  
5 and

6 “(D) providing financial and technical as-  
7 sistance and advice to State and local govern-  
8 ments affected by a major disaster to—

9 “(i) assess the social, economic, and  
10 environmental impact of the major dis-  
11 aster;

12 “(ii) support coordinated and com-  
13 prehensive planning that takes into ac-  
14 count post-disaster assessments, hazard  
15 and risk modeling, and economic recovery;  
16 and

17 “(iii) support and facilitate implemen-  
18 tation of recovery plans and actions.”.

19 **SEC. 108. COORDINATION OF RESPONSE AND RECOVERY.**

20 Chapter 1 of subtitle C of title VI of the Post-Katrina  
21 Emergency Management Reform Act of 2006 (6 U.S.C.  
22 741 et seq.) is amended by adding at the end the fol-  
23 lowing:

1 **“SEC. 655. COORDINATION OF RESPONSE AND RECOVERY.**

2 “(a) IN GENERAL.—The Administrator shall ensure  
3 the preparedness of Federal agencies to respond to and  
4 support recovery from a natural disaster, act of terrorism,  
5 or other man-made disaster by—

6 “(1) ensuring the development and implementa-  
7 tion of the National Response Framework and the  
8 National Disaster Recovery Framework;

9 “(2) ensuring Federal agencies with responsibil-  
10 ities under the National Response Framework and  
11 the National Disaster Recovery Framework are pre-  
12 pared to fulfill those responsibilities, including hav-  
13 ing appropriate staffing and training;

14 “(3) coordinating the preparedness of Federal  
15 agencies with responsibilities under the National  
16 Disaster Response Framework and the National  
17 Disaster Recovery Framework; and

18 “(4) resolving disagreements relating to re-  
19 sponse to and recovery from major disasters between  
20 Federal agencies with responsibilities under the Na-  
21 tional Disaster Response Framework and the Na-  
22 tional Disaster Recovery Framework, including dis-  
23 agreements relating to a particular major disaster  
24 and disagreements that arise before a major disaster  
25 is declared, except that after a catastrophic disaster  
26 (as defined in section 102 of the Robert T. Stafford

1 Disaster Relief and Emergency Assistance Act) the  
2 chairperson of the Commission established under  
3 section 328 of the Robert T. Stafford Disaster Relief  
4 and Emergency Assistance Act relating to that cata-  
5 strophic disaster shall have exclusive authority to ex-  
6 ercise the authority under this paragraph for the  
7 catastrophic disaster.

8 “(b) DISASTER RESPONSE AND RECOVERY OFFI-  
9 CIALS.—The head of each Federal agency with major re-  
10 sponsibilities under the National Response Framework or  
11 the National Disaster Recovery Framework, as deter-  
12 mined by the Administrator, shall designate a senior offi-  
13 cial to—

14 “(1) ensure the Federal agency is prepared to  
15 execute those response and recovery responsibilities;  
16 and

17 “(2) coordinate response and recovery efforts  
18 and activities with the Administrator.”.

19 **SEC. 109. DECLARATION OF A CATASTROPHIC DISASTER.**

20 Title III of the Robert T. Stafford Disaster Relief  
21 and Emergency Assistance Act (42 U.S.C. 5141 et seq.)  
22 is amended by adding at the end the following:

23 **“SEC. 327. DECLARATION OF A CATASTROPHIC DISASTER.**

24 “(a) IN GENERAL.—The President may only declare  
25 a catastrophic disaster if—

1           “(1) a catastrophic incident has occurred;

2           “(2) the President has declared a major dis-  
3           aster relating to the catastrophic incident in a State;

4           “(3) the State has requested that the President  
5           declare a catastrophic disaster;

6           “(4) an independent panel of experts has issued  
7           a recommendation to the President concerning  
8           whether or not a catastrophic disaster should be de-  
9           clared; and

10           “(5) the total estimated amount of Federal as-  
11           sistance to support response, recovery, and mitiga-  
12           tion costs related to the catastrophic incident ex-  
13           ceeds \$1,000,000,000, as determined by the Admin-  
14           istrator of the Federal Emergency Management  
15           Agency in coordination with the State.

16           “(b) PANEL.—

17           “(1) IN GENERAL.—The President may estab-  
18           lish an independent panel of experts (in this sub-  
19           section referred to as the ‘panel’) which the Presi-  
20           dent may convene upon receiving a reasonable re-  
21           quest that the President declare a catastrophic dis-  
22           aster.

23           “(2) MEMBERSHIP.—The panel may be com-  
24           prised of experts in emergency management, social  
25           and physical sciences, economics, engineering, de-

1 mography, public health, and other appropriate  
2 fields.

3 “(3) CONSIDERATIONS.—In evaluating a re-  
4 quest that the President declare a catastrophic dis-  
5 aster, the panel shall consider—

6 “(A) the number of homes damaged or de-  
7 stroyed;

8 “(B) the number of public facilities dam-  
9 aged or destroyed;

10 “(C) the number of businesses damaged or  
11 destroyed;

12 “(D) the ability of survivors to access so-  
13 cial services, health care, and education;

14 “(E) the economic impact to affected com-  
15 munities and region as a whole, including State  
16 and local government tax revenues;

17 “(F) the number of displaced survivors  
18 and their location;

19 “(G) the quantity of available and afford-  
20 able housing;

21 “(H) the damage to the transportation,  
22 utilities, and communications infrastructure;  
23 and

24 “(I) any other factor relating to the impact  
25 of the catastrophic incident.

1 “(4) INFORMATION.—The panel—

2 “(A) shall consider information provided  
3 by the State requesting that the President de-  
4clare a catastrophic disaster and by the Admin-  
5istrator of the Federal Emergency Management  
6 Agency; and

7 “(B) may solicit or accept additional infor-  
8mation, in order to make an informed rec-  
9ommendation to the President.

10 “(5) RECOMMENDATION.—The panel shall  
11 make a recommendation regarding whether the  
12 President should declare a catastrophic disaster as  
13 soon as is practicable after the panel considers rel-  
14evant data and information regarding the scale and  
15 impact of the catastrophic incident.

16 “(6) ADMINISTRATION.—

17 “(A) FACCA.—The Federal Advisory Com-  
18mittee Act (5 U.S.C. App) shall apply to the  
19panel, except that sections 10(a)(2) and 14 of  
20that Act shall not apply.

21 “(B) STATUS.—Members of the panel shall  
22 be considered special Government employees (as  
23 defined in section 202(a) of title 18, United  
24 States Code).

1           “(C) COMPENSATION AND TRAVEL EX-  
2 PENSES.—

3           “(i) IN GENERAL.—Members of the  
4 panel shall serve without compensation.

5           “(ii) TRAVEL EXPENSES.—Members  
6 of the panel shall be allowed travel ex-  
7 penses, including per diem in lieu of sub-  
8 sistence, at rates authorized for employees  
9 of agencies under subchapter I of chapter  
10 57 of title 5, United States Code, while  
11 away from their homes or regular places of  
12 business in the performance of service for  
13 the panel.

14           “(7) REGULATIONS.—Not later than 18 months  
15 after the date of enactment of the Disaster Recovery  
16 Act of 2011, the President shall prescribe regula-  
17 tions relating to the composition and operating pro-  
18 cedures of the panel.

19           “(8) REPORT.—Not later than 10 days after  
20 the date on which the President declares a cata-  
21 strophic disaster in the absence of a recommendation  
22 to do so from the panel, the President shall submit  
23 to the Committee on Homeland Security and Gov-  
24 ernmental Affairs of the Senate and the Committee

1 on Transportation and Infrastructure of the House  
2 of Representatives a report explaining the decision.

3 **“SEC. 328. FEDERAL LEADERSHIP FOLLOWING A CATA-**  
4 **STROPHIC DISASTER.**

5 “(a) DEFINITIONS.—In this section—

6 “(1) the term ‘Chairperson’ means the Chair-  
7 person of a Commission selected under subsection  
8 (c); and

9 “(2) the term ‘Commission’ means a Commis-  
10 sion established under subsection (b).

11 “(b) ESTABLISHMENT.—Immediately following the  
12 declaration of a catastrophic disaster, the President shall  
13 establish a Commission to facilitate and support State and  
14 local governments in achieving an efficient, effective, and  
15 expeditious recovery from the catastrophic disaster.

16 “(c) CHAIRPERSON.—The President shall select an  
17 official to serve as the Chairperson of each Commission  
18 to ensure the responsibilities of the Commission are ful-  
19 filled. The Chairperson shall have the authority to direct  
20 any Federal agency, in accordance with Congressional re-  
21 programming requirements, to use the authorities and re-  
22 sources granted to the Federal agency under Federal law  
23 in support of the efficient, expeditious, and effective recov-  
24 ery from a catastrophic disaster.

1       “(d) MEMBERS.—Each Commission shall include as  
2 a member the Administrator of the Federal Emergency  
3 Management Agency, the head of each Federal agency  
4 with major responsibilities under the National Disaster  
5 Recovery Framework, and the head of any other Federal  
6 agency that the President determines necessary.

7       “(e) STAFFING.—The Administrator of the Federal  
8 Emergency Management Agency and the head of each  
9 Federal agency with responsibilities under the National  
10 Disaster Recovery Framework shall each detail to each  
11 Commission a sufficient number of senior officials with de-  
12 cision making authority and other employees who shall  
13 serve full time on the Commission to ensure efficient ad-  
14 ministration of the assistance provided by the Federal  
15 Government.

16       “(f) RESPONSIBILITIES OF A COMMISSION.—A Com-  
17 mission shall—

18               “(1) develop a strategic approach to the recov-  
19 ery from the catastrophic disaster and coordinate  
20 the activities of Federal agencies with responsibil-  
21 ities under the National Disaster Recovery Frame-  
22 work and other Federal agencies that the President  
23 determines shall assist in the recovery;

1           “(2) lead the development and monitor the im-  
2           plementation of a strategic plan under subsection  
3           (g);

4           “(3) resolve disagreements relating to recovery  
5           from the catastrophic disaster between or among  
6           Federal agencies with responsibilities under the Na-  
7           tional Disaster Recovery Framework and any other  
8           Federal agency assisting in the recovery and assign  
9           responsibility in specific instances;

10          “(4) compile data on the amount of Federal as-  
11          sistance that State and local governments receive re-  
12          lating to the catastrophic disaster and the activities  
13          the Federal assistance is used to carry out;

14          “(5) identify relevant recovery metrics based on  
15          the recovery goals established by State and local  
16          governments, in coordination with the Federal Gov-  
17          ernment, and measure progress in the recovery  
18          based on the metrics not less frequently than 2  
19          times each year;

20          “(6) consult with and coordinate delivery of  
21          Federal assistance to support the recovery efforts of  
22          State and local governments, nonprofit organiza-  
23          tions, and other private sector organizations;

24          “(7) identify agency regulations, policies, and  
25          procedures that need to be streamlined and coordi-

1 nated to enable an efficient, expeditious, and effective recovery from the catastrophic disaster;

2  
3 “(8) identify unmet needs and ways to meet the needs;

4  
5 “(9) review consolidated requests for Federal assistance submitted under section 329(b);

6  
7 “(10) identify and facilitate the provision of Federal funds to address gaps in the recovery from the catastrophic disaster;

8  
9  
10 “(11) work with State and local governments affected by the catastrophic disaster to incorporate into the efforts to recover from the catastrophic disaster actions that will mitigate the effects of and foster resilience in the event of a subsequent disaster; and

11  
12  
13  
14  
15  
16 “(12) take reasonable actions to prevent waste, fraud, and abuse relating to the catastrophic disaster.

17  
18  
19 “(g) RECOVERY PLAN.—

20 “(1) IN GENERAL.—Not later than 90 days after the date on which the President declares a catastrophic disaster, the Commission established in relation to the catastrophic disaster shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on

1 Transportation and Infrastructure of the House of  
2 Representatives a strategic plan for how the Federal  
3 Government will expeditiously assist State and local  
4 governments in the recovery of the area affected by  
5 the catastrophic disaster.

6 “(2) CONTENTS.—Each strategic plan sub-  
7 mitted under paragraph (1) shall be written in co-  
8 ordination with State and local governments affected  
9 by the catastrophic disaster and shall include—

10 “(A) an up to date description of the scope  
11 of damage caused by the catastrophic disaster  
12 and the number of survivors of the catastrophic  
13 disaster in need of assistance;

14 “(B) an assessment of challenges and  
15 needs faced in the recovery from the cata-  
16 strophic disaster;

17 “(C) a plan for assisting survivors of the  
18 catastrophic disaster in obtaining temporary,  
19 interim, and permanent housing (including the  
20 repair of rental housing);

21 “(D) a description of how Federal agencies  
22 will support State and local governments in the  
23 recovery efforts, including technical, financial,  
24 and planning assistance, and the roles and re-

1            responsibilities of each Federal agency in fulfilling  
2            the strategic plan;

3            “(E) a description of how each Federal  
4            agency on the Commission will administer and  
5            provide staffing for the recovery from the cata-  
6            strophic disaster in order to ensure the expedi-  
7            tious and effective implementation of the stra-  
8            tegic plan;

9            “(F) a description of any procedures of a  
10           Federal agency that will be streamlined to help  
11           ensure an efficient and effective recovery from  
12           the catastrophic disaster; and

13           “(G) a description of any legislative au-  
14           thority needed to help ensure an efficient, expe-  
15           ditious, and effective recovery from the cata-  
16           strophic disaster.

17           “(3) UPDATE.—Not later than 180 days after  
18           the date on which a Commission submits a strategic  
19           plan under paragraph (1), and every 180 days there-  
20           after until the date on which the Commission termi-  
21           nates under subsection (h), the Commission shall  
22           submit to the Committee on Homeland Security and  
23           Governmental Affairs of the Senate a report describ-  
24           ing—

1           “(A) progress in the recovery from the cat-  
2           astrophic disaster since the date on which the  
3           most recent strategic plan or report relating to  
4           the catastrophic disaster was submitted;

5           “(B) major challenges and unmet needs re-  
6           maining in the recovery from the catastrophic  
7           disaster;

8           “(C) any changes or adjustments to the  
9           strategic plan submitted under paragraph (1)  
10          relating to the catastrophic disaster;

11          “(D) how each Federal agency on the  
12          Commission will continue to administer and  
13          provide staffing for the recovery from the cata-  
14          strophic disaster in order to ensure the expedi-  
15          tious and effective implementation of the stra-  
16          tegic plan submitted under paragraph (1); and

17          “(E) any legislative authority needed to  
18          help ensure an efficient, expeditious, and effec-  
19          tive recovery from the catastrophic disaster.

20          “(h) TERMINATION.—

21                 “(1) IN GENERAL.—The President shall termi-  
22                 nate a Commission established in relation to a cata-  
23                 strophic disaster when the President determines that  
24                 all issues relating to the Federal coordination of the

1 recovery from the catastrophic disaster have been  
2 substantially resolved.

3 “(2) WITHDRAWAL.—Upon a determination by  
4 the President that the matters with which a Federal  
5 agency has been involved as part of a Commission  
6 have been substantially resolved, the Federal agency  
7 may withdraw from the Commission.

8 “(i) RECOVERY JOINT FIELD OFFICES.—

9 “(1) IN GENERAL.—The President shall estab-  
10 lish recovery joint field offices in an area after a cat-  
11 astrophic disaster for an appropriate period of time  
12 to support recovery from the catastrophic disaster.

13 “(2) ASSIGNMENT OF EMPLOYEES.—Each Fed-  
14 eral agency on the Commission established in rela-  
15 tion to the catastrophic disaster shall assign a suffi-  
16 cient number of employees to each recovery joint  
17 field office established under paragraph (1) to assist  
18 State and local governments in the efficient, expedi-  
19 tious, and effective recovery from the catastrophic  
20 disaster.”.

21 **SEC. 110. IMPROVING DISTRIBUTION OF FEDERAL DIS-**  
22 **ASTER ASSISTANCE.**

23 Title III of the Robert T. Stafford Disaster Relief  
24 and Emergency Assistance Act (42 U.S.C. 5141 et seq.),

1 as amended by section 109, is amended by adding at the  
2 end the following:

3 **“SEC. 329. IMPROVING DISTRIBUTION OF FEDERAL DIS-**  
4 **ASTER ASSISTANCE.**

5 “(a) CATALOG OF FEDERAL DISASTER ASSIST-  
6 ANCE.—

7 “(1) IN GENERAL.—Not later than 1 year after  
8 the date of enactment of this section, the President  
9 shall develop a catalog of Federal disaster assistance  
10 that—

11 “(A) includes summaries of the Federal  
12 programs that support disaster relief, recovery,  
13 and mitigation; and

14 “(B) uses a common format that contains  
15 information about each Federal program de-  
16 scribed in subparagraph (A), including—

17 “(i) the name of the Federal program;

18 “(ii) the Federal agency carrying out  
19 the Federal program, including contact in-  
20 formation;

21 “(iii) the purpose or a description of  
22 the Federal program;

23 “(iv) citations or Internet addresses  
24 for or links to the statutes, regulations,

1 and rules governing the Federal program;

2 and

3 “(v) the eligibility requirements, appli-  
4 cation instructions, and allowable and pro-  
5 hibited uses of funds under the Federal  
6 program.

7 “(2) UPDATES.—The President shall annually  
8 update the catalog of Federal disaster assistance de-  
9 veloped under paragraph (1).

10 “(b) CONSOLIDATED REQUEST FOR FEDERAL AS-  
11 SISTANCE.—Not later than 1 year after the date of enact-  
12 ment of this section, the President shall develop a single  
13 application process for voluntary use by State, local, and  
14 tribal governments and private nonprofit entities to re-  
15 quest Federal disaster assistance from the Federal pro-  
16 grams identified under subsection (a)(1)(A).

17 “(c) RECOVERY METRICS.—Not later than 1 year  
18 after the date of enactment of this section, the President  
19 shall establish and implement procedures to monitor dis-  
20 aster recovery indicators after a catastrophic disaster, in-  
21 cluding—

22 “(1) population changes by neighborhood (in-  
23 cluding demographics);

24 “(2) housing availability and affordability;

1           “(3) restoration of utilities and transportation  
2           infrastructure;

3           “(4) economic activity;

4           “(5) job growth;

5           “(6) State and local tax revenues; and

6           “(7) access to critical services, including edu-  
7           cation, health care, mental health services, child  
8           care, and police and fire protection.”.

9   **SEC. 111. PRE-INCIDENT PLANNING.**

10          Title III of the Robert T. Stafford Disaster Relief  
11          and Emergency Assistance Act (42 U.S.C. 5170 et seq.),  
12          as amended by section 110, is amended at the end by add-  
13          ing the following:

14   **“SEC. 330. PRE-INCIDENT PLANNING.**

15          “(a) PRE-INCIDENT PLANS.—If, at the time of a dec-  
16          laration of a major disaster, a State or local government  
17          has in effect a recovery plan that has been approved under  
18          this section, the President shall increase by 10 percentage  
19          points the Federal share of assistance under sections 406,  
20          407, and 408(e), as appropriate depending on the contents  
21          of the approved plan.

22          “(b) FACTORS FOR CONSIDERATION.—In deter-  
23          mining whether to approve a recovery plan submitted by  
24          a State or local government under subsection (a) and  
25          whether and by what percentage to increase the Federal

1 share under subsection (a), the President shall consider  
2 whether the State or local government has—

3 “(1) established procedures for debris manage-  
4 ment, including having entered into contracts for de-  
5bris removal, identified sites to support debris proc-  
6 essing, storage, and transfer, and established proce-  
7 dures for collection of right-of-entry forms;

8 “(2) established procedures for temporary hous-  
9 ing for disaster survivors and for transitioning dis-  
10 aster survivors to permanent housing, including by  
11 rebuilding adequate rental properties;

12 “(3) established a leadership structure to man-  
13 age recovery efforts, including identifying roles and  
14 responsibilities among leaders and State and local  
15 agencies;

16 “(4) established a post-disaster planning proc-  
17 ess and structure that integrates community stake-  
18 holders into recovery efforts;

19 “(5) identified and prioritized actions that need  
20 to be taken before another major disaster to reduce  
21 the impact of the major disaster;

22 “(6) identified and prioritized actions to be  
23 taken after a major disaster to help ensure an effi-  
24 cient, expeditious, and effective recovery;

1           “(7) identified potential barriers to a timely re-  
2 recovery and put in place emergency waivers and au-  
3 thorities that will overcome these barriers during re-  
4 covery;

5           “(8) developed procedures and mechanisms for  
6 implementing the recovery, including for the staffing  
7 of recovery efforts;

8           “(9) identified methods of obtaining mutual as-  
9 sistance and other peer-to-peer aid to support recov-  
10 ery efforts; and

11           “(10) adopted mechanisms to facilitate the  
12 timely and proper payment of claims by insurance  
13 companies for damages relating to the major dis-  
14 aster.”.

## 15           **TITLE II—MAJOR DISASTER** 16           **ASSISTANCE PROGRAMS**

### 17           **SEC. 201. ESSENTIAL ASSISTANCE.**

18           Section 403 of the Robert T. Stafford Disaster Relief  
19 and Emergency Assistance Act (42 U.S.C. 5170b) is  
20 amended—

21           (1) in subsection (a)—

22                   (A) by striking “medicine medical equip-  
23 ment,,” each place it appears and inserting  
24 “medicine, medical equipment,”; and

25                   (B) in paragraph (3)—

1 (i) in subparagraph (D), by inserting  
2 “, child care facilities, libraries,” after  
3 “schools”;

4 (ii) in subparagraph (E), by inserting  
5 “inspection of damaged structures and”  
6 before “demolition”;

7 (iii) by striking the second subpara-  
8 graph designated as subparagraph (J), as  
9 added by section 4 of the Pets Evacuation  
10 and Transportation Standards Act of 2006  
11 (Public Law 109–308; 120 Stat. 1726);  
12 and

13 (iv) in subparagraph (J)—

14 (I) in the matter preceding clause  
15 (i), by inserting “giving special con-  
16 sideration to the” before “provision”;

17 (II) in clause (i), by striking  
18 “and” at the end;

19 (III) in clause (ii), by striking  
20 the period at the end and inserting a  
21 semicolon; and

22 (IV) by adding at the end the fol-  
23 lowing:

24 “(iii) to children; and

1 “(iv) to individuals with disabilities or  
2 other special needs.”; and

3 (2) by adding at the end the following:

4 “(d) EMERGENCY SHELTER.—The President may ex-  
5 tend the period during which emergency shelter is pro-  
6 vided under this section if the President determines that  
7 timely transition into housing assistance authorized under  
8 section 408 is not practicable or that an extension is nec-  
9 essary to meet housing needs after the major disaster.

10 “(e) SALARIES AND BENEFITS.—

11 “(1) IN GENERAL.—The President may reim-  
12 burse a State or local government for costs relating  
13 to pay and benefits (including overtime and haz-  
14 ardous duty pay) for permanent employees of the  
15 State or local government conducting emergency  
16 protective measures under this section.

17 “(2) FAIR LABOR STANDARDS.—The guidelines  
18 for reimbursement for employees that a recipient of  
19 assistance under paragraph (1) is contractually obli-  
20 gated to pay shall be consistent with the Fair Labor  
21 Standards Act of 1938 (29 U.S.C. 201 et seq.).”.

22 **SEC. 202. VOLUNTEERS.**

23 Title IV of the Robert T. Stafford Disaster Relief and  
24 Emergency Assistance Act (42 U.S.C. 5170 et seq.) is  
25 amended—

1           (1) by redesignating section 425 (42 U.S.C.  
2           5189e) relating to essential service providers, as  
3           added by section 607 of the SAFE Port Act (Public  
4           Law 109–347; 120 Stat. 1941) as section 427; and  
5           (2) by adding at the end the following:

6   **“SEC. 428. VOLUNTEERS.**

7           “Upon request by a State, the President may provide  
8           temporary housing for volunteers who are assisting in re-  
9           sponse and recovery efforts from a major disaster if the  
10          President determines the assistance is appropriate, cost-  
11          effective, and would not unduly interfere with the ability  
12          of the President to provide housing to emergency response  
13          providers (as defined in section 2 of the Homeland Secu-  
14          rity Act of 2002 (6 U.S.C. 101)) or to individuals or  
15          households eligible for housing assistance under this Act.”.

16   **SEC. 203. HAZARD MITIGATION.**

17          (a) IN GENERAL.—Section 404(b) of the Robert T.  
18          Stafford Disaster Relief and Emergency Assistance Act  
19          (42 U.S.C. 5170c(b)) is amended by adding at the end  
20          the following:

21                 “(4) CONSISTENCY OF ELIGIBLE ACTIVITIES.—

22                         “(A) DEFINITION.—In this paragraph, the  
23                         term ‘covered hazard mitigation measure’—

24                                 “(i) means a hazard mitigation meas-  
25                                 ure that—

1                   “(I) is an eligible use of funds  
2                   under a mitigation grant program  
3                   under a provision of law other than  
4                   this section;

5                   “(II) is administered by the Ad-  
6                   ministrators of the Federal Emergency  
7                   Management Agency; and

8                   “(III) meets the requirements  
9                   under subsection (a); and

10                   “(ii) includes demolition and rebuild-  
11                   ing.

12                   “(B) USE OF FUNDS.—A covered hazard  
13                   mitigation measure shall be eligible to receive  
14                   assistance under the program under this sec-  
15                   tion.”.

16                   (b) PROCEDURES AND OTHER ASSISTANCE.—

17                   (1) IN GENERAL.—Section 404 of the Robert T.  
18                   Stafford Disaster Relief and Emergency Assistance  
19                   Act (42 U.S.C. 5170c) is amended by adding at the  
20                   end the following:

21                   “(d) STREAMLINED PROCEDURES.—For purposes of  
22                   providing assistance under this section, the President may  
23                   establish streamlined procedures, including procedures for  
24                   consideration of multiple structures as a group and for  
25                   an analysis of the environmental impacts, historical im-

1 pacts, cost-effectiveness, and fulfillment of cost-share re-  
2 quirements for proposed hazard mitigation measures.

3 “(e) ADDITIONAL MITIGATION ASSISTANCE.—

4 “(1) IN GENERAL.—If, on the date on which  
5 the President declares a major disaster, a State af-  
6 fected by the major disaster has in effect, and is ac-  
7 tively enforcing throughout the State, a State build-  
8 ing code that has been approved under paragraph  
9 (2), the President shall increase the Federal share of  
10 assistance under this section, notwithstanding the  
11 maximum total of contributions under this section  
12 for the major disaster, as determined in accordance  
13 with subsection (a) and section 322(e), by an  
14 amount equal to 10 percent of the estimated aggre-  
15 gate amount of grants to be made (less any associ-  
16 ated administrative costs) to the State under this  
17 Act with respect to the major disaster.

18 “(2) APPROVAL.—

19 “(A) IN GENERAL.—The President shall  
20 approve a State building code if the President  
21 determines that the building code—

22 “(i) is consistent with a nationally-  
23 recognized model building code in effect on  
24 the date of the determination; and

1           “(ii) was adopted by the State during  
2           the 6-year period beginning on the date on  
3           which the nationally-recognized model  
4           building code described in clause (i) went  
5           into effect.

6           “(B) PERIODIC UPDATES.—The President  
7           shall, by regulation, set appropriate standards  
8           for the periodic update, resubmission, and re-  
9           approval of a State building code approved by  
10          the President under this paragraph that are  
11          consistent with similar requirements relating to  
12          mitigation planning under section 322.

13          “(3) DEFINITIONS.—In this subsection:

14               “(A) ACTIVELY ENFORCING.—The term  
15               ‘actively enforcing’ means that the structural  
16               provisions of a State building code are being ef-  
17               fectively implemented in the process of exam-  
18               ination and approval of construction plans,  
19               specifications, and technical data and the in-  
20               spection of new construction or renovation.

21               “(B) NATIONALLY-RECOGNIZED MODEL  
22               BUILDING CODE.—The term ‘nationally-recog-  
23               nized model building code’ means a building  
24               code for residential and commercial construc-  
25               tion and construction materials that—

1           “(i) has been developed and published  
2           by a code organization in an open con-  
3           sensus type forum with input from na-  
4           tional experts; and

5           “(ii) is based on national structural  
6           design standards that establish minimum  
7           acceptable criteria for the design and con-  
8           struction of residential and commercial  
9           buildings for the purpose of protecting the  
10          health, safety, and general welfare of the  
11          building’s users against natural disasters.

12          “(C) STATE BUILDING CODE.—The term  
13          ‘State building code’ means requirements and  
14          associated standards for residential and com-  
15          mercial construction and construction materials  
16          that are implemented on a statewide basis by  
17          ordinance, resolution, law, housing or building  
18          code, or zoning ordinance, which shall, at a  
19          minimum, include that such requirements and  
20          associated standards shall apply to construc-  
21          tion-related activities of residential or commer-  
22          cial building contractors, engineers, architects,  
23          and designers applicable to the structural safe-  
24          ty, design, and construction of residential, com-  
25          mercial, and industrial structures.

1           “(4) REGULATIONS.—Not later than 1 year  
2 after the date of enactment of this subsection, the  
3 President, acting through the Administrator of the  
4 Federal Emergency Management Agency, shall issue  
5 such regulations as may be necessary to carry out  
6 this subsection.

7           “(f) ADVANCE ASSISTANCE.—The President may  
8 provide not more than 10 percent of the amount of the  
9 estimated cost of hazard mitigation measures to an entity  
10 eligible for a grant under this section if the entity—

11           “(1) indicates the entity intends to implement  
12 hazard mitigation measures; and

13           “(2) requests funds for the hazard mitigation  
14 measures before the costs are incurred by the entity.

15           “(g) COST EFFECTIVENESS.—For purposes of evalu-  
16 ating whether a hazard mitigation measure is cost-effec-  
17 tive, any costs incurred to conduct a federally required re-  
18 view of the environmental or historic impact or cost-effec-  
19 tiveness of a hazard mitigation measure shall not be in-  
20 cluded as a cost of the hazard mitigation measure.

21           “(h) REIMBURSEMENT FOR RESIDENTIAL MITIGA-  
22 TION MEASURES.—The President may provide assistance  
23 to homeowners for otherwise eligible structural measures  
24 for a residence damaged by the major disaster for which  
25 the hazard mitigation assistance is made available, regard-

1 less of whether the homeowner commenced work on the  
2 measures before approval of the measures.”.

3 (2) CRITERIA FOR ASSISTANCE AWARDS.—Sec-  
4 tion 203(g) of the Robert T. Stafford Disaster Relief  
5 and Emergency Assistance Act (42 U.S.C. 5133(g))  
6 is amended—

7 (A) in paragraph (9), by striking “and” at  
8 the end;

9 (B) by redesignating paragraph (10) as  
10 paragraph (11); and

11 (C) by inserting after paragraph (9) the  
12 following:

13 “(10) the extent to which the State or local  
14 government is carrying out activities to implement a  
15 State building code approved under section 404(e);  
16 and”.

17 (c) ESTABLISHMENT OF CRITERIA RELATING TO AD-  
18 MINISTRATION OF HAZARD MITIGATION ASSISTANCE BY  
19 STATES.—Not later than 180 days after the date of enact-  
20 ment of this Act, the President shall establish the criteria  
21 required under section 404(c)(2) of the Robert T. Stafford  
22 Disaster Relief and Emergency Assistance Act (42 U.S.C.  
23 5170c(c)(2)).

24 (d) REPORT.—Not later than 1 year after the date  
25 of enactment of this Act, the Administrator shall submit

1 to Congress a report, developed in consultation with State  
2 and local governments, that—

3 (1) identifies obstacles to more timely distribu-  
4 tion of funds under the hazard mitigation program  
5 under section 404 of the Robert T. Stafford Disaster  
6 Relief and Emergency Assistance Act (42 U.S.C.  
7 5170c);

8 (2) provides proposals to overcome any obsta-  
9 cles identified under paragraph (1), including wheth-  
10 er the obstacles are related to specific provisions of  
11 that Act; and

12 (3) assesses the feasibility of developing a uni-  
13 form application process for all forms of mitigation  
14 assistance authorized under the Robert T. Stafford  
15 Disaster Relief and Emergency Assistance Act (42  
16 U.S.C. 5121 et seq.) and the National Flood Insur-  
17 ance Act of 1968 (42 U.S.C. 4011 et seq.), includ-  
18 ing—

19 (A) the hazard mitigation program under  
20 section 404 of the Robert T. Stafford Disaster  
21 Relief and Emergency Assistance Act (42  
22 U.S.C. 5170c);

23 (B) the predisaster hazard mitigation pro-  
24 gram under section 203 of the Robert T. Staf-

1           ford Disaster Relief and Emergency Assistance  
2           Act (42 U.S.C. 5133);

3           (C) the severe repetitive loss program  
4           under section 1361A of the National Flood In-  
5           surance Act of 1968 (42 U.S.C. 4102a); and

6           (D) the flood mitigation assistance pro-  
7           gram under section 1366 of the National Flood  
8           Insurance Act of 1968 (42 U.S.C. 4104).

9   **SEC. 204. REPAIR, RESTORATION, AND REPLACEMENT OF**  
10                                   **DAMAGED FACILITIES.**

11           (a) IN GENERAL.—Section 406 of the Robert T.  
12   Stafford Disaster Relief and Emergency Assistance Act  
13   (42 U.S.C. 5172) is amended—

14           (1) in subsection (a)(3)(B), by striking “and  
15           emergency medical care” and inserting “emergency  
16           medical care, and child care”;

17           (2) by striking subsection (c) and inserting the  
18           following:

19           “(c) LARGE IN-LIEU CONTRIBUTIONS.—

20           “(1) IN GENERAL.—In any case in which a  
21           State, local government, or owner or operator of a  
22           private nonprofit facility determines that the public  
23           welfare would not best be served by repairing, re-  
24           storing, reconstructing, or replacing the facility, the  
25           State, local government, or person who owns or op-

1 erates a private nonprofit facility may elect to re-  
2 ceive, in lieu of a contribution under subsection  
3 (a)(1)(A), a contribution in an amount equal to the  
4 Federal share of the Federal estimate of the cost of  
5 repairing, restoring, reconstructing, or replacing the  
6 facility and of management expenses.

7 “(2) USE OF FUNDS.—Funds contributed to a  
8 State, local government, or person under this sub-  
9 section may be used—

10 “(A) to repair, restore, or expand other se-  
11 lected facilities owned or operated by the State,  
12 local government, or person;

13 “(B) to construct new facilities to be  
14 owned or operated by the State, local govern-  
15 ment, or person; or

16 “(C) to fund hazard mitigation measures  
17 that the State, local government, or person de-  
18 termines to be necessary to meet a need for  
19 services and functions provided by the State,  
20 local government, or person in the area affected  
21 by the major disaster.

22 “(3) LIMITATIONS.—Funds made available to a  
23 State, local government, or person under this sub-  
24 section may not be used for—

1           “(A) any facility located in a regulatory  
2 floodway (as defined in section 59.1 of title 44,  
3 Code of Federal Regulations (or a successor  
4 regulation)); or

5           “(B) any uninsured facility located in a  
6 special flood hazard area identified by the Ad-  
7 ministrator of the Federal Emergency Manage-  
8 ment Agency under the National Flood Insur-  
9 ance Act of 1968 (42 U.S.C. 4001 et seq.)”;

10       (3) in subsection (e)—

11           (A) in paragraph (1)(A)—

12               (i) in clause (i), by striking “and” at  
13 the end;

14               (ii) in clause (ii), by striking the pe-  
15 riod at the end and inserting “; and”; and

16               (iii) by adding at the end the fol-  
17 lowing:

18                   “(iii) giving consideration to any en-  
19 ergy savings associated with the proposed  
20 design, repair, restoration, reconstruction,  
21 or replacement.”;

22           (B) in paragraph (3)(C)—

23               (i) in clause (i), by striking “and” at  
24 the end;

1 (ii) in clause (ii), by striking the pe-  
2 riod at the end and inserting “; and”;

3 (iii) by adding at the end the fol-  
4 lowing:

5 “(iii) procedures to effect the reim-  
6 bursement of funds under paragraph  
7 (2)(B)(ii).”; and

8 (C) by adding at the end the following:

9 “(5) EXPEDITED PAYMENTS.—

10 “(A) GRANT ASSISTANCE.—In making a  
11 contribution under subparagraph (A) or (B) of  
12 subsection (a)(1), the President shall provide an  
13 initial payment of the full amount of the Fed-  
14 eral share of the eligible cost, based on the ini-  
15 tial estimate conducted in accordance with  
16 paragraph (1)(A).

17 “(B) DATE OF PAYMENT.—An initial pay-  
18 ment described in subparagraph (A) shall be  
19 paid not later than 60 days after the date on  
20 which the estimate described in paragraph (1)  
21 is completed.”; and

22 (4) by adding at the end the following:

23 “(f) PROJECT CONSOLIDATION.—The President may  
24 consider all facilities that serve the same function for a  
25 single State or local government or an owner or operator

1 of a private nonprofit facility as a single project and pro-  
2 vide a single payment for all eligible costs or estimates  
3 of eligible costs conducted in accordance with subsection  
4 (e)(1)(A) relating to the facilities under this section.

5       “(g) FLOOD OF RECORD.—The President may pro-  
6 vide a State, local government, or person that owns or op-  
7 erates a private nonprofit facility in a special flood hazard  
8 area that is eligible for replacement as a result of disaster-  
9 related damage with a contribution under this section for  
10 the full amount of the Federal share of the cost to repair,  
11 restore, reconstruct, or replace a facility to withstand the  
12 highest flood recorded at the site of the facility, if the dif-  
13 ference in cost between elevation to the flood of record  
14 and elevation to the base flood elevation does not exceed  
15 25 percent of the total project cost.

16       “(h) ANTICIPATED INSURANCE BENEFITS.—

17               “(1) IN GENERAL.—The President may not re-  
18 duce the amount of Federal assistance under this  
19 section by an amount greater than 50 percent of the  
20 anticipated insurance benefits of the recipient of the  
21 Federal assistance if the recipient—

22                       “(A) has requested and has not received  
23 the anticipated insurance benefits on the date  
24 on which the recipient receives Federal assist-  
25 ance;

1           “(B) agrees to diligently pursue insurance  
2           benefits for damages for which Federal assist-  
3           ance is available under this section; and

4           “(C) agrees to timely repay all duplicative  
5           assistance to the agency providing the Federal  
6           assistance.

7           “(2) RECOUPMENT.—The Administrator shall  
8           establish procedures to recoup assistance from appli-  
9           cants that fail to request and diligently pursue in-  
10          surance benefits that would duplicate Federal assist-  
11          ance for damages provided under this section.”.

12          (b) ISSUANCE OF REGULATIONS RELATING TO ELI-  
13          GIBLE COST.—Not later than 180 days after the date of  
14          enactment of this Act, the President shall issue and begin  
15          implementation of the regulations required under section  
16          406(e)(3)(C) of the Robert T. Stafford Disaster Relief and  
17          Emergency Assistance Act (42 U.S.C. 5172(e)(3)(C)), as  
18          amended by this Act.

19          **SEC. 205. DEBRIS REMOVAL.**

20          Section 407 of the Robert T. Stafford Disaster Relief  
21          and Emergency Assistance Act (42 U.S.C. 5173) is  
22          amended by adding at the end the following:

23          “(f) DEBRIS RECYCLING.—

24                  “(1) IN GENERAL.—A recipient of a grant  
25          under subsection (a)(2) may use amounts made

1 available under the grant for the costs of recycling  
2 debris and wreckage resulting from a major disaster,  
3 including the sorting of such materials.

4 “(2) VALUE OF SALVAGED MATERIAL.—

5 “(A) RETENTION OF FINANCIAL BENE-  
6 FITS.—A recipient of a grant under subsection  
7 (a)(2) may retain any financial benefit received  
8 from the salvage of recycled debris or wreckage.

9 “(B) TREATMENT OF FINANCIAL BENE-  
10 FITS.—Any financial benefit described in sub-  
11 paragraph (A) shall not be considered to be in-  
12 come for purposes of section 13.25 of title 44,  
13 Code of Federal Regulations (or any successor  
14 thereto).

15 “(g) SALARIES AND BENEFITS.—

16 “(1) IN GENERAL.—The President may reim-  
17 burse a State or local government for costs relating  
18 to pay and benefits (including overtime and haz-  
19 ardous duty pay) for permanent employees of the  
20 State or local government conducting debris removal.

21 “(2) FAIR LABOR STANDARDS.—The guidelines  
22 for reimbursement for employees that a recipient of  
23 assistance under paragraph (1) is contractually obli-  
24 gated to pay shall be consistent with the Fair Labor  
25 Standards Act of 1938 (29 U.S.C. 201 et seq.).”.

1 **SEC. 206. FEDERAL ASSISTANCE TO INDIVIDUALS AND**  
2 **HOUSEHOLDS.**

3 Section 408 of the Robert T. Stafford Disaster Relief  
4 and Emergency Assistance Act (42 U.S.C. 5174) is  
5 amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) by striking “The President may”  
9 and inserting the following:

10 “(A) IN GENERAL.—The President may”;

11 and

12 (ii) by adding at the end the fol-  
13 lowing:

14 “(B) SHARED HOUSEHOLDS.—

15 “(i) DEFINITION.—In this subpara-  
16 graph, the term ‘member of the predisaster  
17 household’ means an individual who was a  
18 member of the predisaster household of the  
19 individual or household seeking assistance  
20 under this section, as the case may be.

21 “(ii) ELIGIBILITY FOR SHARED  
22 HOUSEHOLDS.—The President may not  
23 deny assistance to an individual or house-  
24 hold under this section because a member  
25 of the predisaster household has already  
26 received assistance under this section if the

1 individual or household seeking assist-  
2 ance—

3 “(I) has evacuated the  
4 predisaster residence of that indi-  
5 vidual or household and, due to space  
6 constraints or for other good cause  
7 (as determined by the President), re-  
8 sides in a different location than a  
9 member of the predisaster household  
10 that has already received assistance  
11 under this section;

12 “(II) is a victim of domestic vio-  
13 lence, as defined under section  
14 40002(a)(6) of the Violence Against  
15 Women Act of 1994 (42 U.S.C.  
16 13925(a)(6)) and, in order to protect  
17 the safety of the individual or house-  
18 hold, or because of family or house-  
19 hold dissolution or divorce, resides in  
20 a different residence than the member  
21 of the predisaster household that has  
22 already received assistance under this  
23 section; or

24 “(III) has other good cause, as  
25 determined by the President, for

1                   maintaining a separate household  
2                   from the member of the predisaster  
3                   household that has already received  
4                   assistance under this section.

5                   “(iii) PROCEDURES.—Not later than  
6                   1 year after the date of enactment of the  
7                   Disaster Recovery Act of 2011, the Presi-  
8                   dent shall establish procedures to verify eli-  
9                   gibility for a qualifying exception under  
10                  clause (ii).”; and

11                  (B) by adding at the end the following:

12                  “(3) ELIGIBILITY OF HEIRS.—If the owner of  
13                  an owner-occupied private residence dies, an heir  
14                  shall be eligible for assistance under paragraphs (2)  
15                  and (3) of subsection (c) in place of the deceased  
16                  owner if the heir—

17                         “(A) resided in the residence on the date  
18                         of the major disaster; and

19                         “(B) is taking legal possession of the resi-  
20                         dence.”;

21                  (2) in subsection (c)—

22                         (A) in paragraph (2)—

23                                 (i) by redesignating subparagraph (B)  
24                                 as subparagraph (E); and

1 (ii) by inserting after subparagraph  
2 (A) the following:

3 “(B) REPAIRS.—The President may repair  
4 rental units for occupation by individuals and  
5 households eligible for assistance under this sec-  
6 tion. The President shall prescribe rules and  
7 regulations to carry out this subparagraph,  
8 which shall include consideration of cost-effec-  
9 tiveness, convenience to the individuals and  
10 households, and such other factors as the Presi-  
11 dent determines appropriate.

12 “(C) CATASTROPHIC DISASTERS.—For a  
13 catastrophic disaster, the President may provide  
14 direct assistance for repairs under subpara-  
15 graph (A)(i) if the President determines that  
16 the assistance—

17 “(i) is appropriate; and

18 “(ii)(I) is cost-effective as compared  
19 to available alternative housing options; or

20 “(II) would be beneficial in expediting  
21 the recovery from the catastrophic disaster.

22 “(D) EXCEPTION FROM LIMITATIONS.—  
23 The President may provide assistance under  
24 subparagraph (C) in an amount equal to not  
25 more than twice the maximum amount other-

1 wise authorized under subsection (h) or section  
2 307(a)(1).”;

3 (B) in paragraph (4)—

4 (i) by inserting “for a major disaster”  
5 after “the continental United States”; and

6 (ii) by striking “in other locations”  
7 and all that follows and inserting “in other  
8 locations for a catastrophic disaster.”; and

9 (C) by adding at the end the following:

10 “(5) TEMPORARY MORTGAGE AND RENTAL PAY-  
11 MENTS.—

12 “(A) DEFINITION.—

13 “(i) IN GENERAL.—In this paragraph,  
14 the term ‘eligible individual or household’  
15 means an individual or household that—

16 “(I) experienced a net loss of not  
17 less than 25 percent of the predisaster  
18 income of the individual or household  
19 as a result of a major disaster;

20 “(II) has a rent or mortgage pay-  
21 ment in an amount not less than 25  
22 percent of the post-disaster income of  
23 the individual or household; and

24 “(III) has a lease or mortgage on  
25 a primary residence within an area for

1                   which the major disaster has been de-  
2                   clared.

3                   “(ii) CALCULATION.—In calculating  
4                   the net loss of predisaster income, the  
5                   President shall account for insurance pro-  
6                   ceeds received due to loss of employment.

7                   “(B) AUTHORITY.—The President may  
8                   provide assistance on a temporary basis in the  
9                   form of mortgage or rental payments to or on  
10                  behalf of an eligible individual or household  
11                  that, as a result of financial hardship caused by  
12                  a major disaster, is subject to dispossession or  
13                  eviction from the residence by reason of the  
14                  foreclosure of any mortgage or lien or the ter-  
15                  mination of any lease entered into before the  
16                  date of the major disaster.

17                  “(C) AGREEMENTS.—The President may  
18                  direct appropriate Federal agencies and enter  
19                  into agreements with private organizations to  
20                  administer assistance provided under this para-  
21                  graph.

22                  “(D) MAXIMUM PERIOD.—If the President  
23                  provides assistance to an eligible individual or  
24                  household under this paragraph, the President  
25                  shall provide assistance for the duration of the

1 period of financial hardship, not to exceed 18  
2 months.

3 “(E) MAXIMUM AMOUNTS.—The President  
4 may not provide assistance to an eligible indi-  
5 vidual or household under this paragraph—

6 “(i) in a total amount that is more  
7 than the maximum amount of assistance  
8 under subsection (h); or

9 “(ii) for any month, in an amount  
10 that is more than the amount of monthly  
11 income loss of the eligible individual or  
12 household.”;

13 (3) in subsection (d)(1)(B), by striking “or ac-  
14 cessible” and inserting “, accessible, or convenient to  
15 schools, health care facilities, child care centers, gro-  
16 cery stores, public transportation, or other essential  
17 community services other than housing resources”;

18 (4) in subsection (e)(1)—

19 (A) in the paragraph heading, by inserting  
20 “CHILD CARE,” after “DENTAL,”; and

21 (B) by inserting “child care,” after “den-  
22 tal,”;

23 (5) in subsection (h)(1), by inserting before the  
24 period at the end “, except that for a catastrophic  
25 disaster, the President may increase the maximum

1 amount of assistance to be not more than twice the  
2 amount equal to the otherwise applicable maximum  
3 amount under this subsection, if the President deter-  
4 mines that due to extraordinary circumstances an  
5 increase is in the public interest”;

6 (6) in subsection (i)—

7 (A) in paragraph (4), by striking “and” at  
8 the end;

9 (B) in paragraph (5), by striking the pe-  
10 riod at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(6) record and verify information on all assist-  
13 ance under this section that an individual or house-  
14 hold has received or applied for relating to a single  
15 major disaster.”;

16 (7) by redesignating subsection (j) as sub-  
17 section (k); and

18 (8) by inserting after subsection (i) the fol-  
19 lowing:

20 “(j) FEDERAL AGENCY AGREEMENT.—

21 “(1) IN GENERAL.—Not later than 1 year after  
22 the date of enactment of the Disaster Recovery Act  
23 of 2011, the Administrator of the Federal Emer-  
24 gency Management Agency, the Secretary of Hous-  
25 ing and Urban Development, the Secretary of Agri-

1 culture, and the heads of other appropriate Federal  
2 agencies (as determined by the President) shall  
3 enter into an agreement that—

4 “(A) identifies the appropriate roles and  
5 responsibilities of each agency for housing as-  
6 sistance under this section; and

7 “(B) establishes procedures necessary to  
8 provide housing assistance available under this  
9 section.

10 “(2) ADMINISTRATION OF AGREEMENT.—

11 “(A) IN GENERAL.—The agreement en-  
12 tered under paragraph (1) shall be updated by  
13 the Federal agencies participating in the agree-  
14 ment as needed, but not less frequently than  
15 once every 5 years. In updating an agreement  
16 under this subparagraph, the Federal agencies  
17 shall seek to constructively address issues relat-  
18 ing to providing or overseeing the provision of  
19 assistance under the program under this section  
20 that emerged during management of disaster  
21 relief programs, including training or resources  
22 for public housing agencies.

23 “(B) CONSISTENCY.—The Federal agen-  
24 cies participating in the agreement entered  
25 under paragraph (1) shall ensure that housing

1 assistance under this section is provided and  
2 administered in a manner consistent with the  
3 National Disaster Recovery Framework and the  
4 National Disaster Housing Strategy developed  
5 under section 683 of the Post-Katrina Emer-  
6 gency Management Reform Act of 2006 (6  
7 U.S.C. 772).

8 “(C) INVENTORY.—The President shall de-  
9 velop a national inventory of federally owned  
10 housing units to facilitate the administration of  
11 housing assistance available under this section.

12 “(D) TECHNICAL ASSISTANCE.—The  
13 President may provide technical assistance and  
14 preparedness support to public housing agencies  
15 to facilitate the administration of housing as-  
16 sistance under subsection (c).”.

17 **SEC. 207. CRISIS COUNSELING AND ASSISTANCE TRAINING**  
18 **PROGRAM.**

19 (a) IN GENERAL.—Section 416 of the Robert T.  
20 Stafford Disaster Relief and Emergency Assistance Act  
21 (42 U.S.C. 5183) is amended—

22 (1) by inserting “and treatment” after “coun-  
23 seling services”; and

24 (2) by striking “victims” and inserting “sur-  
25 vivors”.

1 (b) REGULATIONS.—Not later than 180 days after  
2 the date of enactment of this Act, the President shall pro-  
3 mulgate updated regulations to improve the delivery of  
4 mental health services, extend timeframes for the delivery  
5 of services, and provide for appropriate administrative  
6 costs to service providers under section 416 of the Robert  
7 T. Stafford Disaster Relief and Emergency Assistance  
8 Act, as amended by subsection (a).

9 **SEC. 208. COMMUNITY DISASTER LOANS.**

10 Section 417 of the Robert T. Stafford Disaster Relief  
11 and Emergency Assistance Act (42 U.S.C. 5184) is  
12 amended—

13 (1) in subsection (a), by inserting “, subject to  
14 subsection (b),” before “has demonstrated”;

15 (2) by redesignating subsections (c) and (d) as  
16 subsections (d) and (e), respectively;

17 (3) by striking subsection (b) and inserting the  
18 following:

19 “(b) EXPEDIENT DISBURSAL.—

20 “(1) IN GENERAL.—Subject to paragraph (2),  
21 the President shall develop procedures under which  
22 an initial disbursement of a loan under subsection  
23 (a) shall be made to a local government—

1           “(A) not later than 14 days after the date  
2           on which the President receives a request for  
3           the loan; and

4           “(B) in an amount sufficient to ensure the  
5           local government may—

6                   “(i) continue to provide governmental  
7                   services; and

8                   “(ii) retain and hire personnel nec-  
9                   essary to support response and recovery.

10           “(2) DEMONSTRATED NEED NOT YET ESTAB-  
11           LISHED.—If a local government agrees to return an  
12           initial disbursement under paragraph (1) in the  
13           event that the local government does not dem-  
14           onstrate a need for financial assistance within 180  
15           days after the date of an initial disbursement, the  
16           President shall make an initial disbursement under  
17           paragraph (1) without regard to whether the local  
18           government has established a demonstrated need for  
19           financial assistance.

20           “(3) RECOUPMENT OF LOAN PROCEEDS FOR  
21           FAILURE TO DEMONSTRATE NEED.—The Adminis-  
22           trator shall establish procedures to recoup assistance  
23           from a local government that fails to demonstrate  
24           need for financial assistance within 180 days after  
25           the date of an initial disbursement.

1       “(c) AMOUNT.—The amount of a loan under sub-  
2 section (a)—

3           “(1) shall be based on need;

4           “(2) may not be in an amount that is more  
5 than 50 percent of the annual operating budget of  
6 the local government for the fiscal year in which the  
7 major disaster occurs; and

8           “(3) unless the President has declared a cata-  
9 strophic disaster relating to the major disaster, may  
10 not be more than \$25,000,000.”; and

11           (4) in subsection (d)(1), as redesignated by  
12 paragraph (1), by striking “three full fiscal year pe-  
13 riod” and inserting “3-year period (from either the  
14 date on which the disaster is declared or the first  
15 day of the next fiscal year, as determined by the  
16 President)”.

17 **SEC. 209. EMERGENCY PUBLIC TRANSPORTATION.**

18       Section 419 of the Robert T. Stafford Disaster Relief  
19 and Emergency Assistance Act (42 U.S.C. 5186) is  
20 amended by inserting “child care centers,” after  
21 “schools,”.

22 **SEC. 210. SIMPLIFIED PROCEDURES.**

23       Section 422 of the Robert T. Stafford Disaster Relief  
24 and Emergency Assistance Act (42 U.S.C. 5189) is  
25 amended—

1           (1) by striking “If the Federal estimate” and  
2 inserting the following:

3           “(a) IN GENERAL.—If the Federal estimate”;

4           (2) by inserting “or, if the Administrator has  
5 established a threshold under subsection (b), the  
6 amount established under subsection (b)” after  
7 “\$35,000” the first place it appears;

8           (3) by inserting “or, if applicable, the amount  
9 established under subsection (b),” after “\$35,000  
10 amount”; and

11           (4) by adding at the end the following:

12           “(b) THRESHOLD.—

13           “(1) REPORT.—Not later than 1 year after the  
14 date of enactment of the Disaster Recovery Act of  
15 2011, the President, acting through the Adminis-  
16 trator of the Federal Emergency Management Agen-  
17 cy (in this section referred to as the ‘Adminis-  
18 trator’), shall—

19           “(A) complete an analysis to determine  
20 whether an increase in the threshold for eligi-  
21 bility under subsection (a) is appropriate, which  
22 shall include consideration of cost-effectiveness,  
23 speed of recovery, capacity of grantees, past  
24 performance, and accountability measures; and

1           “(B) submit to the appropriate committees  
2 of Congress (as defined in section 602 of the  
3 Post-Katrina Emergency Management Reform  
4 Act of 2006 (6 U.S.C. 701)) a report regarding  
5 the analysis conducted under subparagraph (A).

6           “(2) AMOUNT.—After the Administrator sub-  
7 mits the report required under paragraph (1), the  
8 President shall direct the Administrator to—

9           “(A) immediately establish a threshold for  
10 eligibility under this section in an appropriate  
11 amount, without regard to chapter 5 of title 5,  
12 United States Code; and

13           “(B) adjust the threshold annually to re-  
14 flect changes in the Consumer Price Index for  
15 all Urban Consumers published by the Depart-  
16 ment of Labor.

17           “(3) REVIEW.—Not later than 3 years after the  
18 date on which the Administrator establishes a  
19 threshold under paragraph (2), and every 3 years  
20 thereafter, the President, acting through the Admin-  
21 istrator, shall review the threshold for eligibility  
22 under this section.”.

23 **SEC. 211. APPEALS OF ASSISTANCE DECISIONS.**

24           Section 423(a) of the Robert T. Stafford Disaster Re-  
25 lief and Emergency Assistance Act (42 U.S.C. 5189a(a))

1 is amended by striking “60 days” and inserting “90  
2 days”.

3 **SEC. 212. CASE MANAGEMENT SERVICES.**

4 Section 426 of the Robert T. Stafford Disaster Relief  
5 and Emergency Assistance Act (42 U.S.C. 5189d) is  
6 amended—

7 (1) by inserting “(a) IN GENERAL.—” before  
8 “The President”;

9 (2) by striking “private”;

10 (3) by striking “victims” and inserting “sur-  
11 vivors”; and

12 (4) by adding at the end the following:

13 “(b) DISASTER CASE MANAGEMENT SYSTEM.—The  
14 President shall direct the Administrator of the Federal  
15 Emergency Management Agency, acting in coordination  
16 with the Secretary of Health and Human Services and the  
17 Secretary of Housing and Urban Development, to estab-  
18 lish a single comprehensive disaster case management sys-  
19 tem for the purpose of facilitating rapid access by sur-  
20 vivors of a major disaster to resources and services avail-  
21 able to meet the needs of the survivors relating to the  
22 major disaster.

23 “(c) REGULATIONS.—Not later than 1 year after the  
24 date of enactment of the Disaster Recovery Act of 2011,  
25 the Administrator of the Federal Emergency Management

1 Agency, in consultation with the Secretary of Health and  
2 Human Services and the Secretary of Housing and Urban  
3 Development, shall promulgate regulations to carry out  
4 this section that—

5           “(1) provide for case managers to serve as a  
6           single point of contact to assist individuals or house-  
7           holds affected by a major disaster;

8           “(2) address access to housing, employment or  
9           employment training, education, health care, mental  
10          health services, substance abuse treatment, child  
11          care, nutrition, transportation, financial counseling,  
12          and other social services to address individual and  
13          household recovery needs;

14          “(3) establish guidelines, training, certification,  
15          performance requirements, service standards, and  
16          caseload limits for providers of case management  
17          services under this section;

18          “(4) address delivery strategies that use the ca-  
19          pabilities of the Federal Government, States, local  
20          governments, and nonprofit organizations;

21          “(5) address, with specificity, the roles and re-  
22          sponsibilities among Federal agencies, State govern-  
23          ments, local governments, providers of case manage-  
24          ment services under this section, and survivors of  
25          major disasters;

1           “(6) establish program evaluation tools for case  
2 managers to monitor individuals and households be-  
3 yond referrals and assess progress toward defined  
4 recovery outcomes;

5           “(7) establish data entry procedures and report-  
6 ing requirements;

7           “(8) address database interconnectivity between  
8 the disaster case management program under this  
9 section and the assistance to individuals and house-  
10 holds program under section 408;

11           “(9) revise the regulations relating to the rou-  
12 tine use of disaster recovery assistance files, includ-  
13 ing establishing a procedure under which an indi-  
14 vidual who registers for assistance through the indi-  
15 viduals and households program under section 408  
16 may voluntarily authorize Federal agencies to share  
17 information relating to the individual with providers  
18 of case management services, notwithstanding sec-  
19 tion 552a of title 5, United States Code (commonly  
20 referred to as the Privacy Act of 1974);

21           “(10) establish criteria relating to when a case  
22 may be closed; and

23           “(11) establish procedures for the effective  
24 transfer of open cases between case managers when  
25 such a transfer is necessary.”.

1 **SEC. 213. ESSENTIAL SERVICE PROVIDERS.**

2 Section 427(a)(1) of the Robert T. Stafford Disaster  
3 Relief and Emergency Assistance Act (42 U.S.C.  
4 5189e(a)(1)), as redesignated by section 202 of this Act,  
5 is amended—

6 (1) by redesignating subparagraphs (B)  
7 through (E) as subparagraphs (C) through (F), re-  
8 spectively; and

9 (2) by inserting after subparagraph (A) the fol-  
10 lowing:

11 “(B) local radio, television, or print news  
12 that contains relevant health and safety infor-  
13 mation;”.

14 **SEC. 214. ADDITIONAL DISASTER ASSISTANCE, PROCE-**  
15 **DURES, AND REPORTING.**

16 (a) IN GENERAL.—Title IV of the Robert T. Stafford  
17 Disaster Relief and Emergency Assistance Act, as amend-  
18 ed by section 202 of this Act, is amended by adding at  
19 the end the following:

20 **“SEC. 429. DISPUTE RESOLUTION PROGRAM.**

21 “(a) DEFINITION.—In this section, the term ‘eligible  
22 assistance’ means assistance—

23 “(1) under section 403, 406, or 407;

24 “(2) for which an applicant has received a deci-  
25 sion on a first appeal;

1           “(3) for which the amount in dispute is not less  
2 than \$750,000, which the President shall adjust an-  
3 nually to reflect changes in the Consumer Price  
4 Index for all Urban Consumers published by the De-  
5 partment of Labor; and

6           “(4) for which the applicant has agreed to a  
7 non-Federal share of not less than 10 percent.

8           “(b) RULES AND REGULATIONS.—

9           “(1) IN GENERAL.—Not later than 180 days  
10 after the date of enactment of this section, and in  
11 order to facilitate an efficient recovery from major  
12 disasters, the President shall establish rules and reg-  
13 ulations under which an applicant may request the  
14 use of alternative dispute resolution, including arbi-  
15 tration by an independent review panel, to resolve  
16 disputes relating to eligible assistance.

17           “(2) BINDING EFFECT.—A decision in an alter-  
18 native dispute resolution under this section shall be  
19 binding upon the parties to the dispute.

20           “(3) CONSIDERATIONS.—The final rule promul-  
21 gated under this section shall—

22           “(A) allow a party eligible to bring a sec-  
23 ond appeal of a dispute relating to eligible as-  
24 sistance to request an independent review panel  
25 for the review;

1           “(B) require a party requesting an inde-  
2           pendent review panel as described in subpara-  
3           graph (A) to agree to forego rights to any fur-  
4           ther appeal of the dispute relating to any eligi-  
5           ble assistance as to which the President agrees  
6           to the request for an independent review panel;

7           “(C) require that the sponsor of an inde-  
8           pendent review panel for any alternative dispute  
9           resolution under this section shall be—

10           “(i) an individual or entity unaffili-  
11           ated with the dispute (which may include  
12           a Federal agency, an administrative law  
13           judge, or a reemployed annuitant who was  
14           an employee of the Federal Government)  
15           selected by the President; and

16           “(ii) responsible for identifying and  
17           maintaining an adequate number of inde-  
18           pendent experts qualified to review and re-  
19           solve disputes under this section;

20           “(D) require an independent review panel  
21           to—

22           “(i) resolve any remaining disputed  
23           issue raised in the first appeal in accord-  
24           ance with all applicable laws, regulations,  
25           and policies; and

1                   “(ii) consider only evidence contained  
2                   in the administrative record;

3                   “(E) require an independent review panel  
4                   to expeditiously issue a written decision for any  
5                   alternative dispute resolution under this section;  
6                   and

7                   “(F) direct that if an independent review  
8                   panel for any alternative dispute resolution  
9                   under this section determines that the basis  
10                  upon which a party failed to resolve a dispute  
11                  relating to eligible assistance is frivolous, the  
12                  independent review panel shall direct the party  
13                  to pay the reasonable costs of the other party  
14                  to the dispute relating to the review by the  
15                  independent review panel.

16                  “(c) SUNSET.—A request for review by an inde-  
17                  pendent review panel under this section may not be made  
18                  after the date that is 5 years after the date of enactment  
19                  of this section.

20                  “(d) REPORT.—

21                  “(1) IN GENERAL.—Not later than 270 days  
22                  after the termination of authority under this section  
23                  pursuant to subsection (c), the Comptroller General  
24                  of the United States shall submit to the Committee  
25                  on Homeland Security and Governmental Affairs of

1 the Senate a report analyzing the effectiveness of  
2 the program under this section.

3 “(2) CONTENTS.—The report submitted under  
4 paragraph (1) shall include—

5 “(A) an assessment of the effectiveness of  
6 the program under this section, including an as-  
7 sessment of whether the program expedited or  
8 delayed the disaster recovery process;

9 “(B) an assessment of whether the pro-  
10 gram increased or decreased costs to administer  
11 section 403, 406, or 407;

12 “(C) an assessment of whether inde-  
13 pendent review panels fairly and accurately re-  
14 solved disputes under this section;

15 “(D) a recommendation as to whether any  
16 aspect of the program under this section should  
17 be made a permanent authority; and

18 “(E) recommendations for any modifica-  
19 tions to the authority or the administration of  
20 the authority under this section in order to im-  
21 prove the disaster recovery process.

22 **“SEC. 430. UNIFIED FEDERAL REVIEW.**

23 “(a) IN GENERAL.—Not later than 18 months after  
24 the date of enactment of the Disaster Recovery Act of  
25 2011, and in consultation with the Council on Environ-

1 mental Quality and the Advisory Council on Historic Pres-  
2 ervation, the President shall establish an expedited and  
3 unified interagency review process to ensure compliance  
4 with environmental and historic requirements under Fed-  
5 eral law relating to disaster recovery projects, in order to  
6 expedite the recovery process.

7 “(b) CONTENTS.—The review process under this sec-  
8 tion shall include mechanisms to expeditiously address  
9 delays that may occur during the recovery from a major  
10 disaster, and shall be updated as appropriate.”.

11 **SEC. 215. AFTER ACTION REVIEWS.**

12 Section 650 of the Post-Katrina Emergency Manage-  
13 ment Reform Act of 2006 (6 U.S.C. 750) is amended—

14 (a) by inserting “(a) IN GENERAL.—” before “The  
15 Administrator,”; and

16 (b) by adding at the end the following:

17 “(b) AFTER ACTION REVIEWS.—The Administrator  
18 shall submit to the appropriate committees of Congress  
19 an annual consolidated report regarding after action re-  
20 views conducted under the remedial action program estab-  
21 lished under this section, which shall include key findings  
22 and recommendations from the after action reviews.”.

23 **SEC. 216. GRANT GUIDANCE.**

24 Chapter 1 of subtitle C of title VI of the Post-Katrina  
25 Emergency Management Reform Act of 2006 (6 U.S.C.

1 741 et seq.), as amended by section 109, is amended by  
2 adding at the end the following:

3 **“SEC. 656. GRANT GUIDANCE.**

4 “(a) DEFINITIONS.—In this section—

5 “(1) the term ‘catastrophic disaster’ has the  
6 meaning given that term in section 102 of the Rob-  
7 ert T. Stafford Disaster Relief and Emergency As-  
8 sistance Act (42 U.S.C. 5122);

9 “(2) the term ‘catastrophic disaster recovery  
10 grant’ means a grant for disaster recovery made  
11 under title I of the Housing and Community Devel-  
12 opment Act of 1974 (42 U.S.C. 5301 et seq.) relat-  
13 ing to a catastrophic disaster;

14 “(3) the term ‘National Disaster Recovery  
15 Framework’ means the National Disaster Recovery  
16 Framework developed under section 655;

17 “(4) the term ‘persons of low and moderate in-  
18 come’ has the meaning given that term in section  
19 102 of the Housing and Community Development  
20 Act of 1974 (42 U.S.C. 5302); and

21 “(5) the term ‘recovery’ has the meaning given  
22 that term in section 501 of the Homeland Security  
23 Act of 2002 (6 U.S.C. 311).

24 “(b) ISSUANCE OF GRANT GUIDANCE.—Not later  
25 than 1 year after the date of enactment of this section,

1 the President, acting through Federal agencies with major  
2 responsibilities under the National Disaster Recovery  
3 Framework, and in accordance with this section, shall  
4 issue guidance for the administration and use of cata-  
5 strophic disaster recovery grants.

6 “(c) CONTENTS.—The guidance issued under sub-  
7 section (b) shall—

8 “(1) ensure that a recipient of a catastrophic  
9 disaster recovery grant may easily use the grant in  
10 coordination with other sources of Federal assist-  
11 ance;

12 “(2) include guidelines for the allocation of  
13 funds by the recipient of a catastrophic disaster re-  
14 covery grant that encourage an equitable allocation  
15 of funding relative to the damages suffered by and  
16 the recovery needs of different parts of the commu-  
17 nity served by the recipient;

18 “(3) prescribe eligible uses of a catastrophic  
19 disaster recovery grant, including authorizing the  
20 use of a catastrophic disaster recovery grant for—

21 “(A) recovery, reconstruction, and revital-  
22 ization of communities after a catastrophic dis-  
23 aster;

1           “(B) promoting the efficient, effective, and  
2           expeditious recovery of survivors of a cata-  
3           strophic disaster;

4           “(C) restoring, repairing, and enhancing  
5           the resiliency of infrastructure and community  
6           services; and

7           “(D) otherwise addressing unmet needs in  
8           recovering from a catastrophic disaster;

9           “(4) require that the recipient of a catastrophic  
10          disaster recovery grant use not less than 50 percent  
11          of the amount received under the grant for activities  
12          that principally benefit persons of low and moderate  
13          income;

14          “(5) require an applicant for a catastrophic dis-  
15          aster recovery grant to prepare and submit a com-  
16          prehensive long-term recovery plan for approval by  
17          the President as a condition of receiving a cata-  
18          strophic disaster recovery grant, which shall—

19               “(A) describe the effects of the cata-  
20               strophic disaster on the community served by  
21               the applicant;

22               “(B) identify the disaster recovery and re-  
23               vitalization needs of the applicant not fully ad-  
24               dressed through other funding sources;

1           “(C) provide specific and measurable re-  
2           covery or revitalization objectives, including  
3           timetables;

4           “(D) describe the proposed use of funds,  
5           including how the use of funds addresses the  
6           disaster recovery and revitalization needs of  
7           persons of low and moderate income and high  
8           impact hazards for which the applicant is con-  
9           sidered to be at risk;

10          “(E) describe monitoring standards and  
11          procedures that—

12                 “(i) are sufficient to ensure program  
13                 requirements are met; and

14                 “(ii) provide for continual quality as-  
15                 surance, investigation, and internal audit  
16                 functions; and

17          “(F) include such other information as the  
18          President determines appropriate;

19          “(6) require the recipient of a catastrophic dis-  
20          aster recovery grant to update the plan submitted  
21          under paragraph (5) not less frequently than annu-  
22          ally, until the date on which all amounts provided  
23          under the grant have been expended;

24          “(7) provide that the President may reject a  
25          plan submitted under paragraph (5) that is incom-

1       plete, inconsistent with the purpose of the cata-  
2       strophic disaster recovery grant program, or that  
3       fails to propose adequate funding for the areas of  
4       greatest need;

5               “(8) require the recipient of a catastrophic dis-  
6       aster recovery grant to submit to the President per-  
7       formance reports concerning the use of funds made  
8       available under the grant and progress toward spe-  
9       cific and measurable recovery or revitalization objec-  
10      tives identified under paragraph (5)(C), in the man-  
11      ner, intervals, and form prescribed by the President;  
12      and

13              “(9) include any other guidance for potential  
14      recipients of a catastrophic disaster recovery grant  
15      that the President determines appropriate.

16              “(d) SUBMISSION.—The President shall submit the  
17      guidance issued under subsection (b) to the appropriate  
18      committees of Congress.

19              “(e) TECHNICAL ASSISTANCE.—The President shall,  
20      as necessary and appropriate, provide technical assistance  
21      upon request to the recipient of a catastrophic disaster  
22      recovery grant to efficiently, effectively, and properly ad-  
23      minister the grant.”.

1 **SEC. 217. TIMELINESS OF REVIEWS.**

2 Not later than 180 days after the date of enactment  
3 of this Act, the Administrator shall develop procedures to  
4 monitor the status of applications for assistance under  
5 section 403, 404, 406, 407, and 408 of the Robert T. Staf-  
6 ford Disaster Relief and Emergency Assistance Act (42  
7 U.S.C. 5170b, 5170c, 5172, 5173, and 5174) relating  
8 to—

- 9 (1) appeals;
- 10 (2) reconciliation of insurance settlements;
- 11 (3) environmental reviews;
- 12 (4) historic reviews; and
- 13 (5) reviews of cost effectiveness.

14 **SEC. 218. REVIEW OF REGULATIONS AND POLICIES.**

15 (a) **IN GENERAL.**—Not later than 1 year after the  
16 date of enactment of this Act, the President shall review  
17 regulations and policies relating to Federal disaster assist-  
18 ance to eliminate regulations the President determines are  
19 no longer relevant, to harmonize contradictory regulations,  
20 and to simplify and expedite disaster recovery and assist-  
21 ance for a catastrophic disaster.

22 (b) **REPORT.**—Not later than 18 months after the  
23 date of enactment of this Act, the President shall submit  
24 to Congress a report describing changes made to regula-  
25 tions as a result of the review required under subsection

1 (a), together with any legislative recommendations relat-  
2 ing to the review or changes in regulations.

3 **SEC. 219. PUBLIC WORKS REPAIR TEAMS.**

4 Not later than 1 year after the date of enactment  
5 of this Act, the Administrator shall submit to Congress  
6 a report that—

7 (1) identifies public works repair teams under  
8 the control of a State or local government; and

9 (2) assesses the feasibility of developing a na-  
10 tional network of public works repair teams that  
11 may be deployed through the Emergency Manage-  
12 ment Assistance Compact consented to by the Joint  
13 Resolution entitled “Joint Resolution granting the  
14 consent of Congress to the Emergency Management  
15 Assistance Compact” (Public Law 104–321; 110  
16 Stat. 3877) to conduct emergency repairs necessary  
17 to restore critical services in an area affected by a  
18 major disaster.

19 **SEC. 220. REVIEW OF FEDERAL PROGRAMS AND AUTHORI-**  
20 **TIES.**

21 Not later than 18 months after the date of enactment  
22 of this Act, the Comptroller General of the United States  
23 shall submit to Congress a report that—

24 (1) identifies overlapping programs or authori-  
25 ties among Federal agencies with responsibilities

1 under the National Disaster Recovery Framework  
2 developed under section 655 of the Post-Katrina  
3 Emergency Management Reform Act of 2006, as  
4 added by section 108 of this Act, which have created  
5 or which may create uncertainty or disagreements  
6 about which agency, program, or funding source  
7 may be used by the President to provide assistance  
8 after a major disaster, including the interpretation  
9 and use of authorities under sections 312 and 402  
10 of the Robert T. Stafford Disaster Relief and Emer-  
11 gency Assistance Act (42 U.S.C. 5155 and 5170a)  
12 and other relevant provisions of law; and

13 (2) provides recommendations to reduce the po-  
14 tential for uncertainty or disagreements that may re-  
15 sult from the existence of overlapping programs, au-  
16 thorities, or funding sources among Federal agencies  
17 with responsibilities under the National Disaster Re-  
18covery Framework.

## 19 **TITLE III—OTHER PROVISIONS**

### 20 **SEC. 301. CONTRIBUTIONS FOR PERSONNEL AND ADMINIS-** 21 **TRATIVE EXPENSES.**

22 Section 613 of the Robert T. Stafford Disaster Relief  
23 and Emergency Assistance Act (42 U.S.C. 5196b) is  
24 amended—

1           (1) by redesignating subsection (h), relating to  
2           annual reports, as so redesignated by section 631(2)  
3           of the Post-Katrina Emergency Management Reform  
4           Act of 2006 (Public Law 109–295; 120 Stat. 1420),  
5           as subsection (i); and

6           (2) in subsection (g), by inserting “children, in-  
7           dividuals with disabilities or other special needs,  
8           and” after “take into account the needs of”.

9   **SEC. 302. EVACUATION PLANS AND EXERCISES.**

10          Section 512(b)(4) of the Homeland Security Act of  
11          2002 (6 U.S.C. 321a(b)(4)) is amended by inserting  
12          “schools, child care centers,” before “hospitals,”.

13   **SEC. 303. PERSONNEL MANAGEMENT.**

14          (a) IN GENERAL.—Title V of the Homeland Security  
15          Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding  
16          at the end the following:

17   **“SEC. 526. PERSONNEL MANAGEMENT.**

18          “(a) DEFINITIONS.—In this section—

19                  “(1) the term ‘annuitant’ means an annuitant  
20                  under a Government retirement system;

21                  “(2) the terms ‘deployed’ and ‘deployment’  
22                  mean the performance of services under the response  
23                  and recovery operations and programs of the Agen-  
24                  cy, including exercises and training for such oper-  
25                  ations and programs;

1           “(3) the term ‘Disaster Reserve Workforce’  
2 means the Disaster Reserve Workforce established  
3 under subsection (b);

4           “(4) the term ‘employee’ has the meaning given  
5 under section 2105 of title 5, United States Code;

6           “(5) the term ‘employee designated for short  
7 term deployments’ means an employee hired under  
8 section 306(b)(1) of the Robert T. Stafford Disaster  
9 Relief and Emergency Assistance Act (42 U.S.C.  
10 5149(b)(1)) designated only for short-term deploy-  
11 ments;

12           “(6) the term ‘Government retirement system’  
13 means a retirement system established by law for  
14 employees of the Government of the United States;

15           “(7) the term ‘major project’ means any project  
16 for which the total costs are greater than \$400,000;

17           “(8) the term ‘permanent seasonal employee’  
18 means an employee, including an employee hired  
19 under section 306(b)(1) of the Robert T. Stafford  
20 Disaster Relief and Emergency Assistance Act (42  
21 U.S.C. 5149(b)(1)), working under seasonal employ-  
22 ment as defined under section 340.401 of title 5 of  
23 the Code of Federal Regulations or any successor  
24 regulation;

1           “(9) the term ‘reservist’ means an employee  
2 who is a member of the Disaster Reserve Workforce;

3           “(10) the term ‘response and recovery oper-  
4 ations and programs’ means response operations and  
5 programs and recovery operations and programs;

6           “(11) the term ‘response operations and pro-  
7 grams’ means operations and programs that involve  
8 taking immediate actions to save lives, protect prop-  
9 erty or the environment, or meet basic human needs;

10           “(12) the term ‘recovery operations and pro-  
11 grams’ means operations and programs to support  
12 and enable recovery, as defined in section 501 of the  
13 Homeland Security Act of 2002; and

14           “(13) the term ‘term employee’ means an em-  
15 ployee, including an employee hired under section  
16 306(b)(1) of the Robert T. Stafford Disaster Relief  
17 and Emergency Assistance Act (42 U.S.C.  
18 5149(b)(1)), who is appointed to a term of 1 or  
19 more years.

20           “(b) DISASTER RESERVE WORKFORCE.—In order to  
21 provide efficiency, continuity, quality, and accuracy in  
22 services performed under response and recovery operations  
23 and programs, there is within the Agency a Disaster Re-  
24 serve Workforce, which shall be used to supplement the  
25 work of permanent full-time employees of the Agency on

1 response and recovery operations and programs with suffi-  
2 cient numbers of qualified, skilled, and trained permanent  
3 full-time employees of the agency to adequately manage  
4 and implement response and recovery operations and pro-  
5 grams, including to lead individual major projects under  
6 sections 404, 406, and 407 of the Robert T. Stafford Dis-  
7 aster Relief and Emergency Assistance Act (42 U.S.C.  
8 5170c, 5172, and 5173).

9 “(c) PROVISION OF SERVICES PERFORMED UNDER  
10 RESPONSE AND RECOVERY OPERATIONS AND PRO-  
11 GRAMS.—

12 “(1) IN GENERAL.—The Administrator shall  
13 ensure that the Disaster Reserve Workforce can rap-  
14 idly and efficiently deploy qualified, skilled, and  
15 trained reservists for a sufficiently long period to  
16 provide continuity in response and recovery oper-  
17 ations and programs.

18 “(2) MANAGEMENT AND IMPLEMENTATION.—

19 “(A) IN GENERAL.—A sufficient number  
20 of qualified permanent full-time employees of  
21 the Agency shall lead and manage the Disaster  
22 Reserve Workforce and implement response and  
23 recovery operations and programs, including  
24 leading individual major projects under sections  
25 404, 406, and 407 of the Robert T. Stafford

1 Disaster Relief and Emergency Assistance Act  
2 (42 U.S.C. 5170e, 5172, and 5173).

3 “(B) RESERVISTS.—Reservists shall in-  
4 clude—

5 “(i) term employees;

6 “(ii) permanent seasonal employees;

7 “(iii) employees designated for short-  
8 term deployments;

9 “(iv) employees of the Department  
10 who are not employees of the Agency; and

11 “(v) employees of other Federal agen-  
12 cies.

13 “(C) SHORT-TERM DEPLOYMENTS.—Em-  
14 ployees designated for short-term deployments  
15 shall generally be deployed—

16 “(i) when necessary to temporarily re-  
17 spond to—

18 “(I) imminent natural disasters,  
19 acts of terrorism, and other man-  
20 made disasters; or

21 “(II) the immediate aftermath of  
22 those disasters or acts;

23 “(ii) only for uncertain or temporary  
24 durations; and

1           “(iii) absent extraordinary cir-  
2           cumstances, for less than 180 days each  
3           calendar year.

4           “(D) REGIONAL STRUCTURE.—Reservists  
5           described under subparagraph (B)(i), (ii), and  
6           (iii) shall be—

7           “(i) assigned to regional cadres based  
8           on residency of the reservists; and

9           “(ii) to the greatest extent possible,  
10          deployed to the geographic area in which  
11          the reservists reside, unless deployment to  
12          other regions is determined necessary by  
13          the Administrator.

14          “(E) RELIANCE ON CERTAIN RESERV-  
15          ISTS.—In supporting the work of permanent  
16          full-time employees, the Administrator—

17          “(i) shall rely to the greatest extent  
18          possible on term employees and permanent  
19          seasonal employees, in order to help ensure  
20          greater efficiency, continuity, quality, and  
21          accuracy in services performed under re-  
22          covery operations and programs; and

23          “(ii) may use discretion to deploy the  
24          reservists most able to ensure the greatest  
25          efficiency, continuity, quality, and accuracy

1 in services performed under response and  
2 recovery operations and programs.

3 “(F) CATASTROPHIC INCIDENTS.—In the  
4 recovery from a catastrophic incident, the Ad-  
5 ministrator shall—

6 “(i) recognize the extensiveness and  
7 extended duration of the recovery from the  
8 catastrophic incident;

9 “(ii) deploy employees in such a man-  
10 ner to ensure efficiency, continuity, quality,  
11 and accuracy in services performed under  
12 the recovery operations and programs;

13 “(iii) provide leadership of the recov-  
14 ery through permanent full-time employ-  
15 ees;

16 “(iv) rely predominately on term em-  
17 ployees and permanent seasonal employees  
18 and employees hired under section 307 of  
19 the Robert T. Stafford Disaster Relief and  
20 Emergency Assistance Act (42 U.S.C.  
21 5150) to support the employees described  
22 under clause (iii) in recovery operations  
23 and programs;

24 “(v) not later than 30 days of the oc-  
25 currence of the catastrophic incident, sub-

1 mit a report to Congress that includes a  
2 plan to comply with clause (i) through (iv)  
3 with respect to that catastrophic incident;  
4 and

5 “(vi) at the end of each 1-year period  
6 following the occurrence of the cata-  
7 strophic incident, until the Administrator  
8 determines that recovery from the cata-  
9 strophic incident is substantially complete,  
10 submit a report to Congress that in-  
11 cludes—

12 “(I) an update of the plan; and

13 “(II) a description of any staff-  
14 ing challenges faced in the recovery.

15 “(G) REPORTING.—Not later than 60 days  
16 after the end of each calendar year, the Admin-  
17 istrator shall submit a report detailing the  
18 number of days of deployment for individuals  
19 described under subparagraph (B)(iii) to Con-  
20 gress.

21 “(3) POLICIES AND PROCEDURES.—In order to  
22 ensure that efficient, continuous, and accurate serv-  
23 ices are provided under response and recovery oper-  
24 ations and programs, not later than 1 year after the

1 date of enactment of this section, the Administrator  
2 shall develop—

3 “(A) staffing policies and procedures for  
4 the proper implementation and management of  
5 response and recovery operations and programs  
6 by a sufficient numbers of permanent full-time  
7 senior-level officials;

8 “(B) deployment of full-time employees for  
9 a reasonably long period of time to ensure con-  
10 tinuity of operations;

11 “(C) plans to recruit individuals who reside  
12 in the area affected by a major disaster when  
13 long-term recovery efforts are needed;

14 “(D) policies and procedures relating to  
15 sections 403, 404, 406, 407, and 502 of the  
16 Robert T. Stafford Disaster Relief and Emer-  
17 gency Assistance Act (42 U.S.C. 5170b, 5170c,  
18 5172, 5173, and 5192);

19 “(E) consolidated guidance for assistance  
20 provided under sections 406 and 407 of the  
21 Robert T. Stafford Disaster Relief and Emer-  
22 gency Assistance Act to facilitate comprehen-  
23 sion and administration of those sections by  
24 personnel administering the program;

1           “(F) policies and procedures relating to  
2           documentation requirements and control of  
3           records relating to projects under sections 406  
4           and 407 of the Robert T. Stafford Disaster Re-  
5           lief and Emergency Assistance Act and per-  
6           sonnel rotation policies to ensure the efficient  
7           and comprehensive transfer of work performed  
8           under those sections by employees;

9           “(G) policies and procedures that require  
10          the Agency to expeditiously identify eligible haz-  
11          ard mitigation measures under section 406 of  
12          the Robert T. Stafford Disaster Relief and  
13          Emergency Assistance Act.

14          “(4) MINIMUM STANDARDS AND GUIDELINES  
15          FOR THE DISASTER RESERVE WORKFORCE.—

16          “(A) STANDARDS AND GUIDELINES.—Not  
17          later than 1 year after the date of enactment of  
18          this section, the Administrator shall develop  
19          standards and guidelines for the Disaster Re-  
20          serve Workforce, including—

21                 “(i) setting appropriate mandatory  
22                 disaster training requirements, in advance  
23                 of deployment and on a continuing basis  
24                 thereafter, to ensure satisfactory knowl-  
25                 edge by employees;

1           “(ii) establishing the minimum num-  
2           ber of days an individual is required to de-  
3           ploy in a year during which there is suffi-  
4           cient work for members of the Disaster  
5           Reserve Workforce;

6           “(iii) providing for a reasonably long  
7           time period for deployment to ensure con-  
8           tinuity in operations; and

9           “(iv) establishing performance re-  
10          quirements, including for the timely and  
11          accurate resolution of issues and projects.

12          “(B) READINESS OF THE DISASTER RE-  
13          SERVE WORKFORCE.—In order to maintain the  
14          readiness of the Disaster Reserve Workforce,  
15          before being appointed to another term in the  
16          Disaster Reserve Workforce, a reservist de-  
17          scribed under paragraph (2)(b) (i), (ii), and  
18          (iii), shall—

19                 “(i) be credentialed in accordance  
20                 with section 510; and

21                 “(ii) meet all minimum standards and  
22                 guidelines established under subparagraph  
23                 (A)—

1                   “(I) for term employees, before  
2                   being appointed to a term in the Dis-  
3                   aster Reserve Workforce; and

4                   “(II) annually for all other re-  
5                   servists.

6                   “(C) EVALUATION SYSTEM.—In consulta-  
7                   tion with the Director of the Office of Per-  
8                   sonnel Management, the Administrator shall de-  
9                   velop and implement a system to continuously  
10                  evaluate reservists to ensure that all minimum  
11                  standards and guidelines under this paragraph  
12                  are satisfied annually by all reservists. Chapter  
13                  43 of title 5, United States Code, shall not  
14                  apply to reservists covered under the system de-  
15                  veloped and implemented under this paragraph.

16                  “(5) CONTRACTORS.—Not later than 1 year  
17                  after the date of enactment of this section, the Ad-  
18                  ministrator, in conjunction with the Chief Human  
19                  Capital Officer of the Agency, shall establish policies  
20                  and procedures relating to—

21                         “(A) oversight of contractor performance;

22                         “(B) ensuring that the number of contrac-  
23                         tors is appropriate;

24                         “(C) ensuring that contractors have appro-  
25                         priate skills, training, knowledge, and experi-

1           ence for assigned tasks, including by ensuring  
2           that the contractors meet training,  
3           credentialing, and performance requirements  
4           similar to the requirements for reservists.

5           “(6) REEMPLOYED ANNUITANTS.—

6                   “(A) IN GENERAL.—In appointing reserv-  
7           ists to the Disaster Reserve Workforce, the ap-  
8           plication of sections 8344 and 8468 of title 5,  
9           United States Code (relating to annuities and  
10          pay on reemployment) or any other similar pro-  
11          vision of law under a Government retirement  
12          system may be waived by the Administrator for  
13          annuitants reemployed on deployments involv-  
14          ing a direct threat to life or property or other  
15          unusual circumstances for the entirety of the  
16          deployment.

17                   “(B) LIMITATIONS.—The authority under  
18          subparagraph (A)—

19                           “(i) is granted to assist the Adminis-  
20                           trator in establishing and effectively oper-  
21                           ating the Disaster Reserve Workforce if no  
22                           other qualified applicant is available for a  
23                           reservist position; and

24                           “(ii) may be exercised only—

1                   “(I) with respect to natural dis-  
2                   asters, acts of terrorism, or other  
3                   man-made disasters, including cata-  
4                   strophic incidents; and

5                   “(II) if the applicant will not ac-  
6                   cept the position without a waiver.

7                   “(C) NOT EMPLOYEE FOR RETIREMENT  
8                   PURPOSES.—An annuitant to whom a waiver  
9                   under subparagraph (A) is in effect shall not be  
10                  considered an employee for purposes of any  
11                  Government retirement system.

12                  “(7) PERMANENT EMPLOYMENT POSITIONS.—

13                  “(A) IN GENERAL.—A reservist hired  
14                  under section 306(b)(1) of the Robert T. Staf-  
15                  ford Disaster Relief and Emergency Assistance  
16                  Act (42 U.S.C. 5149(b)(1)) may compete for  
17                  permanent positions in the Agency under merit  
18                  promotion procedures. The actual time deployed  
19                  as a reservist shall be considered creditable  
20                  service for purposes of such competition and  
21                  shall be calculated, for purposes of section 8411  
22                  of title 5, United States Code, by dividing the  
23                  total number of days of service as a reservist by  
24                  365 to obtain the number of years of service  
25                  and dividing any remainder by 30 to obtain the

1 number of additional months of service and ex-  
2 cluding from the aggregate the fractional part  
3 of a month, if any.

4 “(B) CONSIDERATION.—In evaluating a  
5 reservist hired under section 306(b)(1) of the  
6 Robert T. Stafford Disaster Relief and Emer-  
7 gency Assistance Act (42 U.S.C. 5149(b)(1))  
8 for a potential permanent employment position,  
9 the Administrator shall consider the qualifica-  
10 tions and performance of a reservist, including  
11 the ability of the reservist to timely, accurately,  
12 and creatively resolve issues and projects when  
13 deployed.

14 “(C) EFFECTIVE DATE AND APPLICA-  
15 TION.—This paragraph shall—

16 “(i) take effect on the date on which  
17 the Administrator implements the evalua-  
18 tion system under paragraph (4)(C); and

19 “(ii) apply to periods of service per-  
20 formed after that date.

21 “(8) NO IMPACT ON AGENCY PERSONNEL CEIL-  
22 ING.—Reservists shall not be counted against any  
23 personnel ceiling limitation applicable to the Agen-  
24 cy.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
2 The table of contents in section 1(b) of the Homeland Se-  
3 curity Act of 2002 (6 U.S.C. 101 et seq.) is amended by  
4 inserting after the item relating to section 525 the fol-  
5 lowing:

“Sec. 526. Personnel management.”.

6 (c) PERMANENT SEASONAL EMPLOYEES.—Section  
7 306(b) of the Robert T. Stafford Disaster Relief and  
8 Emergency Assistance Act (42 U.S.C. 5149(b)) is amend-  
9 ed—

10 (1) in paragraph (1), by inserting “or perma-  
11 nent seasonal employees (as that term is defined  
12 under section 526 of the Homeland Security Act of  
13 2002)” after “temporary personnel”; and

14 (2) in paragraph (3), by inserting “or the em-  
15 ployment of permanent seasonal employees (as that  
16 term is defined under section 526 of the Homeland  
17 Security Act of 2002)” after “additional personnel”.

18 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated such sums  
20 as may be necessary to carry out this Act and the amend-  
21 ments made by this Act.

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